

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

RANDALL DAVID RAY,
Plaintiff,

v.

U.S. BANK TRUST, N.A., AS TRUSTEE,
FOR LSF10 MASTER PARTICIPATION
TRUST, et al.,
Defendants.

Case No. [22-cv-06333-DMR](#)

**ORDER TO SHOW CAUSE FOR
FAILURE TO APPEAR AT CASE
MANAGEMENT CONFERENCE AND
FAILING TO FILE SECOND
AMENDED COMPLAINT**

On October 20, 2022, this case was removed from the Superior Court of California, County of Alameda. [Docket No. 1.] Plaintiff was represented by Gary S. Saunders. Plaintiff's counsel subsequently filed a motion to withdraw on March 22, 2023. [Docket No. 30.] The motion was granted on July 13, 2023. [Docket No. 61.]

At the hearing on the motion to withdraw, the court told Plaintiff that if he proceeds as a self-represented party, he is responsible for all filings and deadlines, and for notifying the court and the opposing party of any change of address. [Docket No. 61.] The court notified Plaintiff that failure to meet his court obligations may result in dismissal of his case for failure to prosecute. The July 27, 2023 hearing on Defendant Caliber Home Loans, Inc.'s pending motion to dismiss was vacated. The court explained that this motion, as well as the motion to dismiss filed by Defendant U.S. Bank Trust, N.A., as trustee for LSF10 Master Participation Trust, would be decided on the papers pursuant to Civil Local Rule 7-1(b). A further case management conference was set for September 20, 2023.

Plaintiff did not appear at the September 20, 2023 case management conference. In addition, the court ruled on Defendants' motions to dismiss on August 23, 2023. [Docket No. 62.] Plaintiff was ordered to file a second amended complaint by September 25, 2023. Nothing has

1 been filed. Accordingly, the court ORDERS Plaintiff to **respond in writing by October 17, 2023**
2 by explaining 1) why he did not appear at the September 20, 2023 case management conference,
3 and 2) why he failed to timely file a second amended complaint. **Failure to file a written**
4 **response by October 17, 2023 may result in dismissal of this action for failure to prosecute.**

5 The court refers Plaintiff to the section “Representing Yourself” on the Court’s website,
6 located at <https://cand.uscourts.gov/pro-se-litigants/>, as well as the Court’s Legal Help Centers for
7 unrepresented parties. Parties may schedule an appointment by calling 415-782-8982 or emailing
8 fedpro@sfbar.org.

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10 **IT IS SO ORDERED.**

11 Dated: September 26, 2023



12 DONNA M. RYU
13 Chief Magistrate Judge
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